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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ON 2 2 2001
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

C.F. Communications Corp., et al.

Complainants,

v.

Century Telephone of Wisconsin,
Inc., et al.

Defendants

EB Docket No. 01-99

File Nos. E-93-43, E-93-44, E-93-45

To: **Arthur I. Steinberg**
Administrative Law Judge

SPRINT CORPORATION DEFENDANTS
FIRST DOCUMENT PRODUCTION REQUEST TO COMPLAINANT
ASCOM COMMUNICATIONS, INC. N/K/A ASCOM HOLDING, INC.

Carolina Telephone and Telegraph Company, United Telephone Company of Pennsylvania, and United Telephone Company of Florida, the Defendants in File Nos. E-93-43, E-93-44, and E-93-45, respectively, (collectively "the Defendants"), by their attorneys and pursuant to Section 1.325 of the Commission's Rules, hereby request that Ascom Communications, Inc. n/k/a Ascom Holding, Inc. ("Ascom") produce the documents requested herein. In accordance with Section 1.325(a)(2) of the Commission's Rules, Ascom must, within ten (10) days of the date hereof, comply with the request or interpose objections, claiming a privilege or raising other proper objections.

DEFINITIONS/INSTRUCTIONS

Each and every document request incorporates the following instructions and definitions:

1. These document requests are continuing in nature. You are hereby instructed to file

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supplemental responses to these document requests at any time prior to resolution of the proceedings designated for hearing by the HDO, as defined below, and such supplemental responses shall be filed within ten (10) days after receipt of new or additional documents.

2. As used herein, the terms "you" and "your" and "Complainant" mean Ascom and any entity controlled directly or indirectly by Ascom, or any affiliate or subsidiary of Ascom, or any entity which has de jure or de facto control over Ascom.

3. As used herein, the term "entity" means any corporation, general partnership, limited partnership, limited liability partnership, limited liability company, joint venture, sole proprietorship or any other form of business organization.

4. As used herein, the terms "document" and "documents" mean any written or any other tangible thing of every kind and description, however produced or reproduced, whether draft or final, in your actual or constructive possession, custody, or control, original or reproduction, including but not limited to: business records, letters, notes, films, transcripts, teletype messages, contracts and agreements including drafts, proposals, and any and all modifications thereof, licenses, transcripts, and recordings of telephone conversations or personal conversations, microfilm, microfiche, books, newspapers, magazines, advertisements, periodicals, bulletins, circulars, pamphlets, statements, notices, minutes and/or resolutions (including any attachments or exhibits thereto, draft minutes, resolutions, and agendas), expressions and/or statements of policy, lists of persons attending meetings and conferences, rules, regulations, directions, communications, interoffice communications, financial statements, tax returns, ledgers, books of account, proposals, prospectuses, offers, orders, receipts, analyses, audits, working papers, computations, projections, tabulations, financial records, blueprints,

plans, writings, drawings, graphs, charts, photographs, phono-records and other data computations from which information can be obtained (translated, if necessary, into reasonably usable form), stenographic or handwritten notes, calendars, appointment books, diaries, time sheets, logs, movies, tapes for visual and/or audio reproduction, magnetic computer tapes and discs, opinions, reports of consultants, appraisals, reports and/or summaries of negotiations, proposals, checks or other monetary instruments, studies, evaluations, reports, reviews, working papers, books, charts, telegrams, pictures, tape recordings, computer disks, computer software or programs (or any data stored by electronic computer or other electronic device), or other reproducible information relating or referring to the subject matter identified in each request. The terms "document" or "documents" shall also include the original and all copies of each document if the copies contain any additional writing or are not identical copies of the originals.

5. As used herein, the conjunctions "and" and "or" shall be individually interpreted in every instance as meaning "and/or" and shall not be interpreted conjunctively or disjunctively to exclude any documents otherwise within the scope of any request.

6. In responding to these documents requests, furnish all documents that are available to you, including, but not limited to, documents that are available to or in the possession, custody, or control of your officers, directors, shareholders, employees, partners, counsel, and agents and their agents.

7. Unless otherwise specified, references to the singular include the plural, references to the plural include the singular, references to one gender include the other gender, references to past tense include the present, and references to the present tense include the past.

8. The term "reflecting, referring, or relating to" means referring to, of, setting forth, proposing, showing, disclosing, describing, discussing, explaining, evidencing, summarizing, analyzing, concerning, implying or authorizing.

9. If any document responsive to these document requests is withheld under a claim of privilege, in order that the Commission and the parties may determine the validity of the claim of privilege, you must set forth in your response a list of privilege documents which specifically provides for each document withheld:

- a) the date, author(s), addressee(s), recipient(s) including the identity of parties to whom copies ("cc's" and "bcc's") were sent, subject matters, title, number of pages, relationship between the author(s) and the addressee(s) and/or other recipient(s); and any other information necessary to identify sufficiently the document to permit evaluation of the claim of privilege; and
- b) a specific statement of the basis upon which any claim or privilege is based.

10. As used herein, the term "Defendant" or "Defendants" means Carolina Telephone and Telegraph Company, United Telephone Company of Pennsylvania, and United Telephone Company of Florida.

11. As used herein, the term "relevant time period" for a given formal complaint means the two-year period prior to the date the Complainant filed its formal complaint against the Defendants up to and including April 16, 1997.

12. As used herein, the term "EUCL" means the End User Common Line Charge that the Complainant claims was wrongfully assessed and which is the subject matter of the proceeding

designated for hearing by the HDO.

13. As used herein, the term "HDO" means the Federal Communications Commission's Hearing Designation Order (EB Docket No. 01-99), Mimeo DA 01-1044, released April 24, 2001.

14. As used herein, the term "public payphone" means "a pay telephone ... used to provide a public telephone service when a public need exists, such as at an airport lobby, at the option of the telephone company and with the agreement of the owner of the property on which the phone is placed." HDO at Para. 4.

15. As used herein, the term "semi-public payphone" means a pay telephone used to provide service when "there is a combination of general public and specific customer need for the service, such as at a gasoline station or pizza parlor." HDO at Para. 4.

REQUESTS FOR PRODUCTION

Document Request No. 1: Please provide copies of all documents in your possession (including, but not limited to, service orders, invoices, bills, receipts, and agreements with premises owners/lessees) that identify or reflect the dates of installation, suspension and disconnection during the relevant time period of each telephone line you used to provide public payphone service for which you claim that the Defendants wrongly assessed EUCL charges for your public payphones.

Document Request No. 2: Please provide copies of all documents (including, but not limited to, service orders, invoices, bills, receipts, and agreements with premises owners/lessees) that identify or reflect the location of each public payphone for which you claim you were wrongfully assessed EUCL charges during the relevant time period.

Document Request No. 3: Please provide copies of all records in your possession, custody or control which would reflect payment by the Complainant to the Defendants of EUCL charges for Complainant's public payphones for the relevant time period.

Document Request No. 4: Please provide copies of all marketing and similar materials provided to the persons or entities that marketed, or selected the locations of the premises of, the Complainant's payphones showing how the prospective locations of the Complainants payphones were to be identified.

Document Request No. 5: Please provide copies of all documents setting forth, in whole or in part, the damages that you claim are awardable to you in this proceeding.

Document Request No. 6: Please provide copies of all studies and other documents in

your possession upon which your damage calculations are based.

Document Request No. 7: Please provide copies of all documents provided to any expert witness that you plan to call as a direct case witness in proving your damage claim.

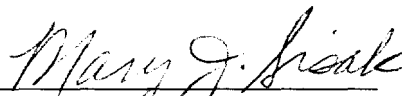
Document Request No. 8: Please provide copies of all documents prepared by, or under the direction or supervision of, any expert witness you expect to call as a direct case witness in proving your damage claim, including reports and studies that contain preliminary conclusions.

Document Request No. 9: Please provide copies of all documents you intend to place in evidence at the evidentiary hearing in this proceeding.

Respectfully submitted,

**Carolina Telephone and Telegraph
Company;
United Telephone Company of
Pennsylvania;
United Telephone Company of
Florida**

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Dated: June 22 2001

Their Attorneys

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2001, a copy of the foregoing was served by first-class United States mail, postage prepaid, on the following parties:

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